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**FACSIMILE TRANSMITTAL SHEET AND
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****To: United States Patent and Trademark Office**

Fax No. 703-872-9306

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on November 16, 2004 to the above-identified facsimile number.

Linda S. Jernigan (Signature)

FROM: Linda S. Jernigan Typed or printed name of person signing Certificate)

Fax No. 513-622-3300

Phone No. 513-622-2811

Listed below are the item(s) being submitted with
this Certificate of Transmission:**

Number of Pages:

Inventors: Russell Lee Kelley

- 1) Request For Correction Of Filing Receipt - 2 pgs.
- 2) Copy of Updated Filing Receipt Dated 9/30/04
2 pages
- 3) Copy of Corrected Filing Receipt Dated 11/4/04
2 pages
- 4) Copy of Response To Request For Corrected Filing Receipt
2 pages

S.N.: 10/702,193

Filed: November 5, 2003

COMMENTS: FILING RECEIPT CORRECTION

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Certification of Mailing or Facsimile Transmission

I hereby certify that I have reasonable basis to expect that, in the date shown below, this correspondence is being submitted as indicated below:

() mailed or deposited with the United States Postal Service as first class mail in an envelope addressed to: Office of Initial Patent Examination, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

(X) facsimile transmitted to the U.S. Patent and Trademark Office via fax number 703-746-9193.

Name: Linda S. Jorgensen Registration No. (if applicable) _____

Signature: [Signature] _____

Date: November 16, 2004

IN THE UNITED STATES PATENT AND TRADEMARK
OFFICE

Application No. : 10/702,193

Applicant(s) : Russell Lee Kelley

Filed : November 5, 2003

Title : Process For Enhancing Canine And Feline
Reproductive Performance

TC/A.U. : 1617

Examiner :

Conf. No. : 7111

Docket No. : P123C

Customer No. : 27752

REQUEST FOR CORRECTION OF FILING RECEIPT

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request for a corrected filing receipt.

[] Attached is an Application Data Sheet (ADS) to correct filing receipt.

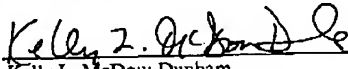
[X] Attached is a copy of the Filing Receipt with the changes noted thereon. Specifically, there is an error on the original Filing Receipt. Please make the following correction:

After "This application is a CON of 09/718,846 11/22/2000 PAT 6,737,078" please insert "which claims the benefit of U.S. Provisional Application Serial No. 60/167,282 filed November 24, 1999".

Also note the Filing Date should be 11/5/2003 instead of 11/6/2003. The postcard and Express Mail Receipt are attached for reference.

I hereby request that a corrected Filing Receipt be issued.

Respectfully submitted,

By 
Kelly L. McDow-Dunham
Attorney or Agent for Applicants
Registration No. 43,787
Tele. No. (513) 622-0159

Date: November 16, 2004

Customer No. 27752

(FilingReceiptCorr.doc)
Last Revised 10/10/2003)

Received: Continuation Patent Application filed

Under 1.53(b) of Russell L. Kelley

Express Mail Label No. EV249871811US

Mailed November 5, 2003

Comprised of:

Utility & Fee Transmittal - orig. + 1 add'l copy

Preliminary Amendment - 3 pages

Copy of Parent Application Serial No. 09/718,846

Copy of Parent Declaration - 2 pages

Authorization to charge deposit account

Return Postcard

Case 'P123C

KLM/183

03945 U.S. PTO

10/702193

[illegible]



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UNITED STATES DEPARTMENT OF COMMERCE
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/702,193	44/06/2003 11/5/2003	1617	942	P123C	19	19	5

CONFIRMATION NO. 7111

UPDATED FILING RECEIPT

OC00000013939285

27752
THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINTON HILL TECHNICAL CENTER - BOX 181
6110 CENTER HILL AVENUE
CINCINNATI, OH 45224

Date Mailed: 09/30/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Russell L. Kelley, Eaton, OH;

Assignment For Published Patent Application

The IAMS Company

Power of Attorney:

Kelly McDow-Dunham-43787

Domestic Priority data as claimed by applicant

This application is a CON of 09/718,846 11/22/2000 PAT 6,737,078
This application is a CON of 09/718,846 11/22/2000 PAT 6,737,078 and

of U.S. Provisional Application Serial No. 60/167,282 filed November 24, 1999

Foreign Applications

If Required, Foreign Filing License Granted: 08/09/2004

The number of your priority application, to be used for filing abroad under the Paris Convention is.
US10/702,193

Projected Publication Date: 01/08/2005

Non-Publication Request: No

KLM/LSJ

CENTRAL DOCKETING	
Any/GBU Contact	
DATE RECD	OCT 04 2004
<input type="checkbox"/> FAX	<input checked="" type="checkbox"/> MAIL

Early Publication Request: No

Title

Process for enhancing canine and feline reproductive performance

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FILE FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/702,193	11/05/2003	1615	942	P123C	19	19	5

CONFIRMATION NO. 7111

CORRECTED FILING RECEIPT



OC90000014256839

27752

THE PROCTER & GAMBLE COMPANY
 INTELLECTUAL PROPERTY DIVISION
 WINTON HILL TECHNICAL CENTER - BOX 161
 6110 CENTER HILL AVENUE
 CINCINNATI, OH 45224

Date Mailed: 11/04/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Russell L. Kelley, Eaton, OH;

Assignment For Published Patent Application

The IAMS Company

Power of Attorney:

Kelly McDow-Dunham-43787

Domestic Priority data as claimed by applicant

This application is a CON of 09/718,846 11/22/2000 PAT 6,737,078 which claims the benefit of U.S. Provisional Application Serial No. 60/167,282 filed

Foreign Applications November 24, 1999.

If Required, Foreign Filing License Granted: 08/09/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/702,193**

Projected Publication Date: 02/10/2005

Non-Publication Request: No

CENTRAL DOCKET
 Atty/GBU Contact: *LSJ*
 DATE REC'D: **NOV - 8 2004**
☐ FAX ☒ MAIL

Early Publication Request: No

Title

Process for enhancing canine and feline reproductive performance

Preliminary Class

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

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This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (i)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

NOV 16 2004

513 622 3300 P.11/12



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APPLICATION NUMBER	FILING OR 371(c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/702,193	11/06/2003 11/5/03	Russell L. Kelley	P123C

CONFIRMATION NO. 7111

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THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
WINTON HILL TECHNICAL CENTER - BOX 161
6110 CENTER HILL AVENUE
CINCINNATI, OH 45224

CENTRAL
Atty/GBU C. Kim [Signature]

DATE RECD NOV - 8 2004

☐ FAX ☒ MAIL

Date Mailed: 11/04/2004

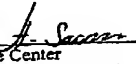
RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.
- ☐ Continuity claimed under 35 U.S.C. § 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.
- ☐ A claim for priority cannot be made based on an application filed after the application making the claim.
- ☐ Domestic benefit and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 U.S.C. § 111(b)(7) and 37 CFR 1.53(c)(4).
- ☐ A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.
- ☐ Foreign priority will appear on the Filing Receipt in the following order: Country, Application number, Filing date.
- ☐ This application is the result of a conversion from a provisional application. Priority based on such application cannot be made since it no longer exists as a provisional application.

- ☒ The application(s) to which priority is claimed were filed over a year prior to the filing date of this application. Therefore, the referenced application(s) cannot be claimed as domestic or foreign priority.
- ☐ To change the benefit claim of a U.S. prior-filed application, applicant must amend the first sentence of the specification (if the benefit claim is referenced in the specification), or provide a supplemental application data sheet (ADS) (if the benefit claim was submitted in an ADS), with the desired benefit claim. Note that once a benefit claim is deleted, applicant will not be able to claim such prior-filed application again, if the above-identified application was filed on or after November 29, 2000.
- ☐ To change a foreign priority claim, applicant must submit a supplemental oath or declaration (if the priority claim is referenced in the oath or declaration), or a supplemental application data sheet (ADS) (if the priority claim was submitted in an ADS), with the desired priority claim. If a supplemental ADS is submitted, any deletions should be shown with strikeouts. Note that once a priority claim is deleted, applicant will not be able to claim such foreign application again, if the above-identified application was filed on or after November 29, 2000.


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Initial Patent Examination Division (703) 308-1202

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